EASTERN DISTRICT OF NORTH CAROLINA FILED WESTERN DIVISION RICHARD J. DALTON, DAVID W. DANIEL, CLERK US DISTRICT COURT, EDNC Plaintiff, V. **JUDGMENT** No. 5:99-CV-356-BR(3) CAPITAL ASSOCIATED INDUSTRIES. BROBTEI, p. 32 INC., GEORGE E. SHELTON, III, WAYNE L. LEHTO and JOHN B. GUPTON, Defendants.

UNITED STATES DISTRICT COURT

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED, ADJUDGED AND DECREED that defendants' motion for summary judgment is GRANTED and this action is DISMISSED. (BRITT, J)

This Judgment Filed and Entered on September 7, 2000, and Copies To:

Reid Russell 4020 WestChase Blvd., Suite 550 Raleigh, NC 27607

Bruce Clarke P. O. Box 31608 Raleigh, NC 27622

R. Frost Branon, Jr. 1235-E East Boulevard, #163 Charlotte, NC 28203

September 7, 2000

DAVID W. DANIEL, CLERK